

Lighted Nocks

House seat 94

FWP LC 0188 88-12

Authorizing The Use of Lighted  
Nocks on arrows while big game  
Hunting

BILL SIGNED 11-17-12

HB 26

15-6 Passed

Passed



HB 26

1. Ranchers and hay growers want Nocks to be used to save tires on their hay wagons and tractors
  2. Bow hunting is not primitive, bows are modern
  3. Today with a bow, hunters are taking 60-75 yard shots with a bow
- 
4. The lighted nock does not come on until after it leaves the bow
  5. Many other states allow lighted nocks
  6. Range finders are legal and electronic
  7. Bow hunters best time to shoot an animal is early morning or evening just before dark
  8. Organized bow hunting groups like the MBA do not want nocks, but the hunters out in the field do

**HEARING CALENDAR REPORT**

Hearing Calendar For Days Between: 02/11/2013 and 02/12/2013

Printed: Feb. 08, 2013

- All SENATE Bills -

04:05 PM

**Branch: Senate****Tuesday - 02/12/2013****(S) Fish and Game**

Chairman: Brenden, J

Secretary: Kulawik, M

This committee meets in **422** at **3:00 PM** on **TTH** unless noted otherwise.**HB 26** Sponsor: Washburn, T**Title:** Allow lighted nock on arrows while big game hunting**SB 249** Sponsor: Barrett, D**Title:** Revise laws related to wildlife management**SB 250** Sponsor: Barrett, D**Title:** Requirements for good neighbor laws, FWP acquisitions**(S) Highways and Transportation**

Chairman: Arntzen, E

Secretary: Devine, C

This committee meets in **405** at **3:00 PM** on **TTH** unless noted otherwise.**HB 155** Sponsor: Moore, D**Title:** Revise school bus safety laws**(S) Judiciary**

Chairman: Murphy, T

Secretary: Schindler, P

This committee meets in **303** at **9:00 AM** on **M-F** unless noted otherwise.**SB 238** Sponsor: Hamlett, B**Title:** Revise consumer reporting laws**SB 251** Sponsor: Wittich, A**Title:** Adopt the Montana Uniform Trust Code**(S) Taxation**

Chairman: Tutvedt, B

Secretary: Rich, C

This committee meets in **405** at **8:00 AM** on **M-F** unless noted otherwise.**HB 36** Sponsor: Boland, C**Title:** Remove statutory references to local government severance tax**SB 239** Sponsor: Buttrey, E**Title:** Generally revise tax increment financing districts

## HOUSE BILL NO. 26

INTRODUCED BY T. WASHBURN

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE USE OF LIGHTED NOCKS ON ARROWS WHILE BIG GAME HUNTING; AMENDING SECTION 87-1-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 87-1-301, MCA, is amended to read:

**"87-1-301. Powers of commission.** (1) Except as provided in subsection (7), the commission:

(a) shall set the policies for the protection, preservation, management, and propagation of the wildlife, fish, game, furbearers, waterfowl, nongame species, and endangered species of the state and for the fulfillment of all other responsibilities of the department as provided by law;

(b) shall establish the hunting, fishing, and trapping rules of the department;

(c) except as provided in 87-1-303(3), shall establish the rules of the department governing the use of lands owned or controlled by the department and waters under the jurisdiction of the department;

(d) must have the power within the department to establish wildlife refuges and bird and game preserves;

(e) shall approve all acquisitions or transfers by the department of interests in land or water, except as provided in 87-1-209(4);

(f) shall review and approve the budget of the department prior to its transmittal to the budget office;

(g) shall review and approve construction projects that have an estimated cost of more than \$1,000 but less than \$5,000; and

(h) shall manage elk, deer, and antelope populations based on habitat estimates determined as provided in 87-1-322 and maintain elk, deer, and antelope population numbers at or below population estimates as provided in 87-1-323. In developing or implementing an elk management plan, the commission shall consider landowner tolerance when deciding whether to restrict elk hunting on surrounding public land in a particular hunting district. As used in this subsection (1)(h), "landowner tolerance" means the written or documented verbal opinion of an affected landowner regarding the impact upon the landowner's property within the particular hunting district where a restriction on elk hunting on public property is proposed.



1 (2) (a) The commission may adopt rules regarding the use and type of archery equipment that may be  
2 employed for hunting and fishing purposes, taking into account applicable standards as technical innovations in  
3 archery equipment change.

4 (b) The commission may not prohibit the use of a lightednock on an arrow while hunting big game or  
5 large predators as defined in 87-1-217.

6 (3) The commission may adopt rules regarding the establishment of special licenses or permits, seasons,  
7 conditions, programs, or other provisions that the commission considers appropriate to promote or enhance  
8 hunting by Montana's youth and persons with disabilities.

9 (4) (a) The commission may adopt rules regarding nonresident big game combination licenses to:

10 (i) separate deer licenses from nonresident elk combination licenses;

11 (ii) set the fees for the separated deer combination licenses and the elk combination licenses without the  
12 deer tag;

13 (iii) condition the use of the deer licenses; and

14 (iv) limit the number of licenses sold.

15 (b) The commission may exercise the rulemaking authority in subsection (4)(a) when it is necessary and  
16 appropriate to regulate the harvest by nonresident big game combination license holders:

17 (i) for the biologically sound management of big game populations of elk, deer, and antelope;

18 (ii) to control the impacts of those elk, deer, and antelope populations on uses of private property; and

19 (iii) to ensure that elk, deer, and antelope populations are at a sustainable level as provided in 87-1-321  
20 through 87-1-325.

21 (5) (a) Subject to the provisions of 87-2-115, the commission may adopt rules establishing license  
22 preference systems to distribute hunting licenses and permits:

23 (i) giving an applicant who has been unsuccessful for a longer period of time priority over an applicant  
24 who has been unsuccessful for a shorter period of time; and

25 (ii) giving a qualifying landowner a preference in drawings. As used in this subsection (5)(a), "qualifying  
26 landowner" means the owner of land that provides some significant habitat benefit for wildlife, as determined by  
27 the commission.

28 (b) The commission shall square the number of points purchased by an applicant per species when  
29 conducting drawings for licenses and permits.

30 (6) (a) The commission may adopt rules to:



1 (i) limit the number of nonresident mountain lion hunters in designated hunting districts; and  
2 (ii) determine the conditions under which nonresidents may hunt mountain lion in designated hunting  
3 districts.

4 (b) The commission shall consider, but is not limited to consideration of, the following factors:

5 (i) harvest of lions by resident and nonresident hunters;

6 (ii) history of quota overruns;

7 (iii) composition, including age and sex, of the lion harvest;

8 (iv) historical outfitter use;

9 (v) conflicts among hunter groups;

10 (vi) availability of public and private lands; and

11 (vii) whether restrictions on nonresident hunters are more appropriate than restrictions on all hunters.

12 (7) The commission may not regulate the use or possession of firearms, firearm accessories, or  
13 ammunition, including the chemical elements of ammunition used for hunting. This does not prevent:

14 (a) the restriction of certain hunting seasons to the use of specified hunting arms, such as the  
15 establishment of special archery seasons;

16 (b) for human safety, the restriction of certain areas to the use of only specified hunting arms, including  
17 bows and arrows, traditional handguns, and muzzleloading rifles;

18 (c) the restriction of the use of shotguns for the hunting of deer and elk pursuant to 87-6-401(1)(f);

19 (d) the regulation of migratory game bird hunting pursuant to 87-3-403; or

20 (e) the restriction of the use of rifles for bird hunting pursuant to 87-6-401(1)(g) or (1)(h)."

21  
22 **NEW SECTION.** **Section 2. Effective date.** [This act] is effective on passage and approval.

23 - END -



**PRESESSION AUTHORITY TO PREINTRODUCE,  
NUMBER, AND DISTRIBUTE A BILL\***

**DO NOT RETURN THIS FORM EXCEPT TO INTRODUCE THIS BILL.  
SIGNING THIS FORM IS THE SAME AS SIGNING THE BILL AND  
DELIVERING THE BILL TO THE CHIEF CLERK OF THE HOUSE  
OR THE SECRETARY OF THE SENATE.**

(Joint Rule 40-40(6))

To the Executive Director of the Montana Legislative Services Division:

**\*I understand that signing and returning this form has the same effect as introducing the bill during the session. This preintroduction form will authorize the assignment of a bill number and distribution of the bill prior to the convening of the legislative session.**

Please PREINTRODUCE this bill by typing my name and the names of the additional sponsors (if any) on the bill, numbering the bill, and distributing the bill prior to the convening of the legislative session.

You are hereby authorized to number and distribute LC0188.01 prior to the convening of the legislative session. The subject of this bill, as reflected in the title, is:

**A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE USE OF LIGHTED NOCKS ON ARROWS WHILE BIG GAME HUNTING; AMENDING SECTION 87-1-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."**

YES, I WANT TO PREINTRODUCE THIS BILL, AND I AGREE TO SPONSOR LC0188.

SPONSORED BY

Ted Washburn  
CHIEF SPONSOR (SIGN)

Ted WASHBURN ASLR  
CHIEF SPONSOR (PRINT)

November 7, 2017  
(DATE)

Additional sponsors must sign and print their names here:

**TO PREINTRODUCE THIS BILL, MAIL THIS FORM, SIGNED AND DATED, TO LEGISLATIVE SERVICES DIVISION, PO BOX 201706, HELENA, MONTANA 59620-1706, OR FAX THE FORM TO (406) 444-3036. A BILL NUMBER WILL BE ASSIGNED, YOUR NAME WILL BE TYPED ON THE BILL, AND THE BILL WILL BE DISTRIBUTED PRIOR TO THE CONVENING OF THE LEGISLATIVE SESSION.**

**Note: You do not need to return the bill with this form.**

**DO NOT RETURN THIS FORM EXCEPT TO INTRODUCE THIS BILL.**



1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

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5 WHILE BIG GAME HUNTING; AMENDING SECTION 87-1-301, MCA; AND PROVIDING AN IMMEDIATE  
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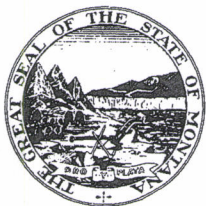
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**Montana Legislative Services Division**  
**Office of the Executive Director**

PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

November 13, 2012

RE: Bill introduction before January 7, 2013

Dear Representative Ted Washburn:

Enclosed is the final draft of LC0188. The following options are available to you regarding your bill:

1. Hold the bill until the session begins and use the standard method of introduction. Under this option, the Legislative Services Division will prepare the bill for introduction in the session form and you can sign for the bill at the LSD front desk on the first legislative day.
2. Revise the bill subject to the "redo" limitations explained in your earlier review drafts.
3. Cancel the request. If you choose this option, please notify the Legislative Services Division so that it does not do any further work on your bill.
4. Preintroduce the bill. The following paragraph explains the preintroduction process.

The preintroduction of bills helps the Legislature get off to a faster start. **To preintroduce your bill, sign the enclosed preintroduction form and return the signed form to the Legislative Services Division as soon as possible** before 5:00 p.m. on December 15, 2012. Alternatively, you may fax the signed form to the Legislative Services Division at (406) 444-3036. Proxy signatures or phone authorizations will not be accepted.

If you have any questions about the preintroduction process or your options, please contact me at 444-3066 or [sfox@mt.gov](mailto:sfox@mt.gov).

Sincerely,

A handwritten signature in cursive script that reads "Susan B. Fox".

Susan Byorth Fox  
Executive Director



# Bill Drafting Request

Montana Legislative Services Division  
Room 110 — State Capitol  
Helena MT 59620-1706  
(406) 444-3064  
FAX: (406) 444-3036  
e-mail: teverts@mt.gov

For Legislative Services Division Use Only:

Date of Request \_\_\_\_\_

Requester \_\_\_\_\_  
(Please Print)

## Description of Request (Please be specific)

FILE This Bill for the 2013 Legislature

Title A BILL FOR AN ENTITLED "AN ACT AUTHORIZING THE USE  
OF LIGHTED NOCKS ON ARROWS WHILE BIG GAME AND  
WOLF HUNTING.

Place request on HOLD ☐

Authority to contact anyone felt necessary

☒ YES

☐ NO

Contact Person(s):

Name(s) Ted WASHBURN

Phone(s) 406-581-4898

R Ted WASHBURN HD69  
Requesting Legislator

\_\_\_\_\_  
Requesting Agency